

Public Services - Revenue Department - Allegation of Corruption against Sri G.J.V.Prabhakara Rao, Mandal Revenue Officer, Karampudi Mandal, Guntur District - Trapped on 12-04-2002- Placed on his defence before the Tribunal for Disciplinary Proceedings - Inquiry Report of the TDP in TEC No.145 / 2003 - Charge proved - Communicated to the Delinquent Officer - Representation - Penalty of withholding entire pension and Gratuity in full permanently - Imposed - Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

Dated: 30.07.2013

- 1) From the D.G., A.C.B., No.76/RCT-VGT/2002, dt.26.09.2002.
- 2) Government Memo No.29864/Vig.II(1)/02-2, dt.17.12.2002.
- 3) From the Secretary T.D.P., Dis.No.S/39/2007, dt.25.10.2007 along with the Inquiry Report, dt:22.10.2007 in TEC No.145/2003.
- 4) Government Memo No.51420/Vig.II(1)/2007, dt.18.03.2008.
- 5) Interim Orders of the APAT, dt: 10.4.2008 in O.A.NO.2642/2008 filed by Sri G.J.V.Prabhakara Rao, former MRO, Karampudi (M) Guntur District and working as MRO, Dornal Mandal, Prakasam District.
- 6) From Sri G.J.V.Prabhakara Rao, formerly M.R.O. (Retd.), Karampudi Mandal, explanation dt.26.04.08.
- 7) From A.P.A.T. orders dt.13-9-2010 in O.A.No.2642/2008 filed by Sri G.J.V.Prabhakara Rao, former MRO, Karampudi (M), Guntur District.
- 8) Govt. Memo No.51420/Vig. II(1)/2007, Dt: 16.11.2012.
- 9) From Sri G.J.V. Prabhakar Rao, MRO (Retired), representation, dt: 28.3.2013.

In the reference 1st read above, the Director General, Anti-Corruption Bureau, Hyderabad has reported that Sri G.J.V.Prabhakar Rao, while working as Tahsildar, Karampudi Mandal, Guntur District was trapped by the Anti-Corruption Bureau authorities on 12.04.2002 at his residence, when he demanded and accepted bribe of Rs.1000/- from the complainant Sri Vunnam Mallaiah S/o.Ramaiah, R/o.Petasanigandla Village, Karampudi Mandal, Guntur District for showing official favour i.e. for issue of permission certificate to sell rice of the complainant at Ryot Bazaar, Guntur; and recommended to place the Accused Officer on his defence before Tribunal for Disciplinary Proceedings.

3. In the reference 3rd read above, the Tribunal for Disciplinary Proceedings, after conducting enquiry, furnished report in TEC No. 145 / 2003 against Sri G.J.V. Prabhakar Rao, Madal Revenue Officer; wherein the Tribunal for Disciplinary Proceedings has held that the charge is proved.

4. In the reference 4th read above, a copy of the enquiry report in TEC No.145 of 2003 has been communicated to Sri G.J.V. Prabhakara Rao, Mandal Revenue Officer, with a direction to submit his representation on the finding of Tribunal for Disciplinary Proceedings, if any, for taking further action in the matter.

(P.T.O)

5. Aggrieved by the above, the Delinquent Officer Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer has approached the A.P. Administrative Tribunal by filing O.A.No.2642/2008 and the Andhra Pradesh Administrative Tribunal in its interim orders, vide reference 5th read above, has directed the applicant to submit his explanation to the Government vide reference to 4th read above within 2 weeks; and that the respondents not to pass any final orders pending further orders. Government have filed counter in the above O.A.

6. In the reference 6th read above, Sri G.J.V.Prabhakar Rao, Mandal Revenue Officer submitted his representation and stated that the learned Tribunal for Disciplinary Proceedings did not take the official correspondence made by him with the Revenue Divisional Officer into consideration and held that he is guilty. On 29.09.07, he filed a petition before the Hon'ble Tribunal for summoning the file relating to Rc.No.N6-52-2002-A4, dt.11.04.2002 and the report of Mandal Revenue Officer for arranging a substitute to Fair Price shop of the complainant but the Hon'ble Tribunal without passing any orders, has concluded the proceedings and sent its report on 22.10.2007. If this report is marked as exhibit it would have established the rivalry against him by the complainant. He prayed to drop the charge.

7. In the reference 7th read above, the A.P. Administrative Tribunal in its orders dt.13.09.2010 in O.A.No.2642/2008 filed by Sri G.J.V.Prabhakar Rao, formerly Mandal Revenue Officer (now retired), has ordered as "INFRUCTOUS".

8. Government have examined the representation of the individual keeping in view the report of Tribunal for Disciplinary Proceedings and taken a provisional decision to impose the punishment of withholding of entire pension and gratuity permanently on Sri G.J.V.Prabhakar Rao, Mandal Revenue Officer (Retired). Accordingly, in the reference 8th read above, a show-cause notice was issued to the individual directing him to submit his representation on the above provisional decision.

9. In the reference 9th read above, Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retired) has submitted his representation, stating among others that on 8.4.2002, the complainant had given a representation for permission to sell the produce grow in the land taken on lease by him to the Raithu Bazar, Guntur; and the representation was forwarded to the Revenue Inspector for remarks and the same was pending with the Mandal Revenue Inspector. The Anti-Corruption Bureau made a false case against him based on the petition of the complainant; and in the panchanama, he had stated that the complainant forcibly kept the wad of currency notes in his pocket and went away inspite of his calling and immediately the Anti-Corruption Bureau trap party entered into the room. As such he did not commit any irregularity and requested to drop further action against him on humanitarian grounds, as he retired from service on attaining the age of superannuation on 31.7.2008.

10. Government have examined the contentions of the individual together with the material available and observe that the complainant met Sri G.J.V. Prabhakara Rao, Mandal Revenue Officer at his residence on 12.4.2002 at 7.20 PM, where the Accused Officer had accepted the bribe of Rs.1,000/- from the complainant. At about 7.25 PM, the complainant gave the pre-arranged signal to the trap party and the raid party rushed into the residence of the Accused Officer, where the Accused Officer was found sitting in the front room of his residence attending to his work. The phenolphthalein test conducted on him yielded positive result and the tainted amount was recovered from his shirt pocket. His plea that the complainant forcibly kept the amount in his shirt pocket and went away immediately inspite of his calling is not tenable, as there

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was no voice of the Accused Officer when the trap party entered into the place of offence since he was attending to his work. Moreover, the tainted amount should have been in the hands of Accused Officer in case he was trying to call the complainant, but strangely the amount was recovered from his shirt pocket at his instance. It is also impossible to imagine that a private person could enter into the residence of Mandal Revenue Officer and have the nerve to place bribe money forcibly in the shirt pocket and foist a case against him. The above circumstances clearly go to show that the Delinquent Officer had demanded and accepted the bribe from the complainant. With regard to his contention that there is no official favour pending with him, the Tribunal for Disciplinary Proceedings has considered all the oral and documentary evidence and gave its findings that the charge is held proved. Hence, his contention that the findings of Tribunal for Disciplinary Proceedings are contrary is not correct. The Delinquent Officer has not put-forth any new grounds in his present representation. Government have therefore decided to confirm the provisional decision to impose the punishment of withholding entire pension and gratuity in full permanently on Sri G.J.V. Prabhakara Rao, Mandal Revenue Officer (Retired).

11. Government, after careful consideration and in exercise of the powers conferred under rule 9 of A.P. Revised Pension Rules, 1980 and as per Rule 7 of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989, hereby impose the penalty of withholding of entire pension and gratuity permanently on Sri G.J.V. Prabhakar Rao, former Mandal Revenue Officer, Karampudi Mandal, Gudur District (Retired) for the corruption charge held proved.

12. The Chief Commissioner of Land Administration, A.P, Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (now Retired)
through the Chief Commissioner of Land Administration, Hyderabad.

The Chief Commissioner of Land Administration, Hyderabad

(with a request to serve the orders on the individual and send the served copy with dated signature to Government)

The Collector, Guntur District.

Copy to:

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commission,
A.P. Vigilance Commission, Hyderabad.

The Accountant General, A.P, Hyderabad.

The Director of Treasuries & Accounts, AP, Hyderabad.

PS to Principal Secretary to Government, Revenue Department.

Revenue (Ser.III) Department.

PS to Principal Secretary, Revenue Department.

SF

//FORWARDED::BY ORDER//

SECTION OFFICER